

UNITED STATES DISTRICT COURT

NORTHERN

DISTRICT OF

WEST VIRGINIA

SEP 15 2009

NORTHERN DISTRICT OF WV
OFFICE OF THE CLERK

CSX TRANSPORTATION, INC.,
Plaintiff,

V.

ROBERT GILKISON. Et al,
Defendants.

JUDGMENT IN A CIVIL CASE

Case Number: 5:05-CV-202

X **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by Court.** The issues have been ruled upon and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

the Jury having rendered its verdict on August 14, 2009, in favor of defendants, and against the plaintiff, CSX, regarding the May/Jayne fraud; and the Court having Granted (1) the lawyer defendants' motion for summary judgment regarding Counts 3 and 4 (fraud and conspiracy related to Baylor) and (2) defendant Dr. Harron's motion for summary judgment; and the Court having Denied as moot (1) plaintiff's motion to strike all opinions and reports by doctors Ballard, Johnson, and Smith from consideration on summary judgment, (2) the lawyer defendants' motion to dismiss or for summary judgment based on newly discovered evidence produced by CSX, and (3) defendant Dr. Harron's motion for summary judgment based on newly disclosed evidence, that said plaintiff, shall recover nothing from said defendants. And it is further

ORDERED that as no claims remain pending in this case, said civil action is dismissed and stricken from the active docket of this Court.

September 15, 2009

Date

CHERYL DEAN RILEY

Clerk

Lee O. Abraham
(By) Deputy Clerk